

HESLIN ROTHENBERG FARLEY & MESITI P.C.

INTELLECTUAL PROPERTY LAW

PATENTS • TRADEMARKS • COPYRIGHTS

Attorneys at Law

5 Columbia Circle
Albany, New York 12203
Telephone: (518) 452-5600
Facsimile: (518) 452-5579
www.hrfmlaw.com

Robert E. Heslin
Jeff Rothenberg
Kevin P. Radigan
Susan E. Farley
Nicholas Mesiti
Philip E. Hansen*
Blanche E. Schiller
Wayne F. Reinke
David P. Miranda
Victor A. Cardona
Brett M. Hutton

*Patent Agent

Kathy Smith Dias
David A. Pascarella
Lee Palmateer
John Pietrangelo*
Alana M. Puierer
John W. Boger
Shanna K. O'Brien
Franklin S. Abrams
Caroline B. Ahn
Kelle S. Fredericks*
Andrew K. Gonsalves
Christopher B. Miller*
Lee J. Fleckenstein*
Erica M. Hines
Shahrokh Falati

Of Counsel
Jill M. Breedlove
Joseph L. Spiegel

CONFIDENTIALITY NOTICE

THE PAGES COMPRISING THIS FACSIMILE TRANSMISSION CONTAIN CONFIDENTIAL INFORMATION FROM **HESLIN ROTHENBERG FARLEY & MESITI P.C.** THIS INFORMATION IS INTENDED SOLELY FOR USE BY THE INDIVIDUAL ENTITY NAMED AS THE RECIPIENT HEREOF. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY.

*** PLEASE DELIVER IMMEDIATELY ***

Date: July 24, 2009

From: Blanche E. Schiller, Esq. (e-mail: BES@hrfmlaw.com)
Reg. No. 35,670

No. of Pages: 5 (Including this Page)

Fax No.: (571) 273-3773 (Examiner Truong)
(571) 273-8300 (USPTO)

To: Examiner Camquy Truong
Art Unit: 2195

Re: U.S. Serial No. 10/798,108
Confirmation No.: 5927
File No.: POU920040002US1 (0560.511)

Message: Please find attached hereto the following documents:

1. Applicant Initiated Interview Request Form
2. Proposed Amendments to Independent Claims 1, 10 and 20

Attachments

PTOL-413A (12-08)

Approved for use through 01/31/2009. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/798,108 First Named Applicant: Richard C. Ferri
 Examiner: Camquy Truong Art Unit: 2195 Status of Application: Pending

Tentative Participants:

(1) Examiner Camquy Truong (2) Blanche E. Schiller, Esq.

(3) _____ (4) _____

Proposed Date of Interview: Tues., July 28, 2009 Proposed Time: 1:00 p.m. (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc.)	Claims / Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>101 Rej.</u>	<u>1, 10, 20</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>103(a) Rej.</u>	<u>1</u>	<u>Deng & Gerard</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

To discuss the § 101 Rejection of independent claims, including proposed wording and the § 103(a) Rejection and the proposed claim amendment to independent claim 1 (see attached)

SPECIFIC QUESTION: Is amended claim 1 patentable over Deng and Gerard?

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Blanche E. Schiller

Applicant / Applicant's Representative Signature

Blanche E. Schiller, Esq.

Typed/Printed Name of Applicant or Representative

35,670

Registration Number, if applicable

Examiner / SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PROPOSED CLAIM AMENDMENTS FOR INDEPENDENT CLAIMS 1, 10 & 20
10/798,108
-DO NOT ENTER-

1. (Currently Amended) A method of facilitating allocation of resources in a heterogeneous computing environment, said method comprising:

~~obtaining, by a resource manager of the heterogeneous computing environment, one or more attributes relating to one or more nodes coupled to the resource manager, said one or more attributes specifying at least one compatible environment supported by the one or more nodes; and~~

~~taking into consideration, by the resource manager, at least one attribute of the one or more attributes in allocating one or more resources of at least one node of the one or more nodes to a request.~~

obtaining, by a resource manager of the heterogeneous computing environment, one or more attributes relating to a node coupled to the resource manager, wherein said node is a node of the heterogeneous computing environment and is of a native architecture, and wherein the one or more attributes specify a non-native architecture supported by the node, said non-native architecture being different than said native architecture;

determining by the resource manager whether the node supports an architecture capable of executing a specific request, wherein the specific request specifies an architecture for the request that is different from the native architecture of the node; and

allocating one or more resources of the node to the specific request, in response to the determining indicating the node supports the architecture of the request.

10. (Currently Amended) A computer system ~~of for~~ facilitating allocation of resources in a heterogeneous computing environment, ~~said the computer~~ system comprising:

a memory; and

a processor in communications with the memory, wherein the computer system is capable of performing a method, said method comprising:

~~means for obtaining, by a resource manager of the heterogeneous computing environment, one or more attributes relating to one or more nodes coupled to the resource manager, said one or more attributes specifying at least one compatible environment supported by the one or more nodes; and~~

~~means for taking into consideration, by the resource manager, at least one attribute of the one or more attributes in allocating one or more resources of at least one node of the one or more nodes to a request.~~

obtaining, by a resource manager of the heterogeneous computing environment, one or more attributes relating to a node coupled to the resource manager, wherein said node is a node of the heterogeneous computing environment and is of a native architecture, and wherein the one or more attributes specify a non-native architecture supported by the node, said non-native architecture being different than said native architecture;

determining by the resource manager whether the node supports an architecture capable of executing a specific request, wherein the specific request specifies an architecture for the request that is different from the native architecture of the node; and

allocating one or more resources of the node to the specific request, in response to the determining indicating the node supports the architecture of the request.

20. (Currently Amended) ~~An article of manufacture~~A computer program product for facilitating allocation of resources in a heterogeneous computing environment, the computer program product comprising:

~~at least one computer usable medium having computer readable program code~~
~~logic to facilitate allocation of resources in a heterogeneous computing environment,~~
~~the computer readable program code~~ logic storage medium readable by a processor
and storing instructions for execution by the processor for performing a method
comprising:

~~obtain logic to obtain, by a resource manager of the heterogeneous~~
~~computing environment, one or more attributes relating to one or more nodes~~
~~coupled to the resource manager, said one or more attributes specifying at~~
~~least one compatible environment supported by the one or more nodes; and~~

~~consideration logic to take into consideration, by the resource~~
~~manager, at least one attribute of the one or more attributes in allocating one~~
~~or more resources of at least one node of the one or more nodes to a request.~~

obtaining, by a resource manager of the heterogeneous computing
environment, one or more attributes relating to a node coupled to the resource
manager, wherein said node is a node of the heterogeneous computing
environment and is of a native architecture, and wherein the one or more
attributes specify a non-native architecture supported by the node, said non-
native architecture being different than said native architecture;

determining by the resource manager whether the node supports an
architecture capable of executing a specific request, wherein the specific
request specifies an architecture for the request that is different from the
native architecture of the node; and

allocating one or more resources of the node to the specific request, in
response to the determining indicating the node supports the architecture of
the request.